

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ARGENTAR, Eric J.
Serial No.: 10/733,731
Filed: December 12, 2003
For: CONTROL APPARATUS FOR
USE WITH A COMPUTER...

Group Art Unit: 3714
Examiner: WILLIAMS, Ross A.
Atty Dkt No.: 3aa01us
Confirmation No.: 8554

Today's Date: February 13, 2009

Mail Stop ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

COMMENT ON NOTICE OF ALLOWABILITY

Sir:

The outstanding Notice of Allowability states that "The prior art fails to teach a 'handheld gun' peripheral...", thereby possibly suggesting that Applicant's invention is somehow limited to a "handheld gun" shape.

However, the "shape" of applicant's controller has never been an issue with respect to patentability, and in fact, Applicant's independent claims as originally filed and as currently allowed, only say that the controller has a shape "adapted to be handled by a user of a video game". It is only in dependent claims 2 and 18 that Applicant recites that the controller has a shape "substantially similar to a firearm".

Respectfully submitted,

CERTIFICATE OF TRANSMISSION
PURSUANT TO 37 CFR §1.8

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I hereby certify that this correspondence is being filed
via EFS-Web on February 13, 2009

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